

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)	
)	
SUNNIE ARON EARL)	BANKRUPTCY NO. 05-65231 JPK
)	Chapter 7
Debtor.)	

ORDER REGARDING CORRESPONDENCE

On December 19, 2005, the clerk docketed as docket record entry #17 a one page handwritten letter under the signature of Gwendolyn M. Robinson. This letter in essence asserts that the debtor owes Ms. Robinson \$1000.00, and to that extent the letter can be construed as an attempt to submit a proof of claim. The letter additionally requests that Ms. Robinson's "name be removed and his debt be paid to me in full." This portion of the letter appears to request that Ms. Robinson somehow be deemed to not be a creditor subject to the debtor's bankruptcy case, so that her debt will not be discharged in the event that a discharge is granted to the debtor.

The letter cannot be docketed as a proof of claim because it does not conform to the requirements for a proof of claim. More importantly, on December 19, 2005, the chapter 7 trustee filed a no asset report, which establishes that at this time there is no property in this bankruptcy estate for distribution to creditors, thereby making the filing of a proof of claim unnecessary.

There is no provision in the Bankruptcy Code for removing a creditor from the scope of a debtor's bankruptcy case. The debts of all creditors of the debtor are subject to whatever rights the debtor may have under the particular Chapter of the Bankruptcy Code under which the debtor chose to file. Particular debts may be excepted from discharge by operation of provisions of 11 U.S.C. § 523; however, in order to seek to obtain a determination of nondischargeability, the provisions of the law as to the deadline for filing a complaint and the

procedures for filing a complaint to make that determination must be followed, which is not the case here.

IT IS ORDERED that the Court will take no action in response to the foregoing correspondence.

Dated at Hammond, Indiana on January 4, 2006.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee
U.S. Trustee
Creditor